

## **2014 Elk River, West Virginia Chemical Spill Superfund Division Briefing Paper**

### **Superfund Emergency Response:**

- During the response, Region 5 mobilized an OSC to coordinate and communicate analytical information regarding the MCHM plume in the Ohio River. Regions 4, 5 and ORSANCO, in coordination with public water facilities, tracked the plume until it was no longer detectable.
- For response purposes, EPA responded to the spill as a “pollutant or contaminant” under CERCLA. MCHM is not considered an oil under OPA.
- EPA Region 3 continues its sampling, monitoring, and oversight of cleanup at the Freedom Industries site. West Virginia DEP continues to be the lead enforcement agency. Region 5 continues to communicate with Region 3 regarding lessons learned from the Elk River spill.

### **Superfund Chemical Emergency Preparedness Enforcement:**

- Under EPCRA, MCMH and PPH storage are reportable to the state emergency response commissions. Under SPCC, oil storage is not reported to EPA, but SPCC plans must be kept at the site.
- There are 4 Ohio chemical companies that have reported MCMH above 10,000 lbs on EPCRA Tier II forms (located in Hamilton, Huron, Strongsville, and Walbridge).
- Above ground storage tank registration regulations vary by state
- Minnesota and Michigan require secondary containment for hazardous chemical storage, in addition to oil.